
**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BRIAN J. HUBER,)
)
)
)
 No: 17 CV 6222
Plaintiff,)
)
)
vs.)
)
)
ESSEX ELECTRO ENGINEERS, LLC.,)
)
)
Defendant.)

**AS AND FOR A FIRST CAUSE OF ACTION
(DISCRIMINATION UNDER THE AMERICANS WITH DISABILITIES ACT)**

NATURE OF ACTION

1. This is an action under Title I of the Americans with Disabilities Act of 1990 and Title I of the Civil Rights Act of 1990, to correct unlawful employment practices on the basis of disability (handicap) and to make whole **BRIAN J. HUBER**, ("HUBER"). Defendant, **ESSEX ELECTRO ENGINEERS, LLC.**, ("ESSEX") agents discriminated against HUBER, a qualified individual with a handicap, because of his disability of being partially blind.

JURISDICTION AND VENUE

2. Jurisdiction of this Court is invoked pursuant to 28 U.S.C.A. & & 451, 1331, 1337, 1343, and 1345. This action is authorized and instituted pursuant to Section 107(a) of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C.A. § 12117(a), which incorporates by reference Sections 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C.A. §§ 2000e-5 (f)(1) and (3), and pursuant to Section 102 of the Civil Rights Act of 1991, 42 U.S.C.A. § 1981(A). The employment practices

hereafter alleged to be unlawful were and are now being committed in the Northern District of Illinois, Eastern Division.

PARTIES

4. HUBER is an adult person with a disability of partial blindness and a resident of Carpentersville, Kane County, State of Illinois.
5. HUBER was an employee with the Defendant, ESSEX from March 14, 2016 to April 25, 2016.
6. At all times relevant, ESSEX is a domestic corporation organized under the laws of the State of Illinois.
7. ESSEX is an employer within the meaning of the ADA and has been at all times material to the allegations herein.

STATEMENT OF CLAIMS

8. Despite ESSEX listing itself as an equal employment company and having a policy against discrimination to the disabled, ESSEX intentionally discriminated against HUBER by subjecting HUBER to different terms and conditions of employment because of his handicap.
9. HUBER was terminated once ESSEX determined that HUBER was partially blind which violates his rights under the American Disability Act.
10. ESSEX's acts and omissions violate applicable provisions of the American Disability Act.
11. The discriminatory action of ESSEX as set forth above has caused HUBER to be harmed in that HUBER has suffered emotional pain, humiliation, mental anguish, loss of

enjoyment of life, and emotional distress. Because of such discrimination and consequent harm, HUBER has suffered such damages in an amount according to proof.

12. HUBER has no adequate remedy at law to secure relief. If this court does not enter an injunctive order for ESSEX to be reinstated HUBER he will be irreparably injured.

13. HUBER filed a discrimination charge against the Equal Employment Opportunity Commission (Exhibit "A") and thereafter was issued a "Right to Sue letter." (See Exhibit "B") This charge has timely filed with the Northern District of Illinois.

PRAYER FOR RELIEF

WHEREFORE, the plaintiff prays that the court order such relief as is necessary to make the plaintiff whole, including:

1. Declare the conduct engaged in by ESSEX to be in violation of Plaintiff's rights;
2. For injunctive relief, including but not limited reinstatement and for relief required to make Plaintiff whole for the losses caused by the violations of ESSEX and help protect him from an injurious work environment;
3. Attorneys' fees and costs incurred in this action
4. Such other relief as is just and equitable.
5. The plaintiff requests a jury trial of this action.

BRIAN J. HUBER

BY:/s/ **Michael T. Smith**
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